

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CHARLES D. ZEHRING, JR.,

Plaintiff,

v.

JAMIE SORBER, et al.,

Defendants.

CIVIL ACTION
NO. 20-3195

ORDER

AND NOW, this 22nd day of January 2024, upon consideration of Defendants Correct Care Solutions LLC (“CCS”)/Wellpath, Dr. Cowan, Dr. Hanuschak, Dr. Letizio and Nicola Wiener’s Motion to Dismiss (Doc. No. 123), Defendants Tammy Ferguson, Joseph Silva and Jamie Sorber’s Motion to Dismiss (Doc. No. 126), Defendant Dr. Goldberg’s Motion to Dismiss (Doc. No. 157), Defendants Erica Benning and Joseph Terra’s Motion to Join Defendants Tammy Ferguson, Joseph Silva and Jamie Sorber’s Motion to Dismiss (Doc. No. 158), Plaintiff’s Responses in Opposition (Doc. Nos. 134, 166, 173, 178), Defendant Goldberg’s Reply (Doc. No. 169) and in accordance with the Opinion of the Court issued this day, it is **ORDERED** as follows:

1. Defendants Erica Benning and Joseph Terra’s Motion to Join Defendants Tammy Ferguson, Joseph Silva and Jamie Sorber’s Motion to Dismiss (Doc. No. 158) is **GRANTED**.
2. Defendants CCS/Wellpath, Dr. Cowan, Dr. Hanuschak, Dr. Letizio and Nicola Wiener’s Motion to Dismiss (Doc. No. 123) is **GRANTED** in part and **DENIED** in part.
3. Defendants Tammy Ferguson, Joseph Silva and Jamie Sorber’s Motion to Dismiss (Doc. No. 126) is **GRANTED** in part and **DENIED** in part.

4. Defendant Dr. Goldberg's Motion to Dismiss (Doc. No. 157) is **GRANTED** in part and **DENIED** in part.
5. The claims remaining in this case are: (1) An Eighth Amendment claim under § 1983 (Count I) against Dr. Goldberg, Dr. Letizio, Dr. Lee Hanuschak, Jamie Sorber, Tammy Ferguson, Joseph Silva, Correct Care Solutions (CCS) LLC/Wellpath LLC, and Nicola Wiener, as Executrix of the estate of Dr. Stephen Wiener; and (2) A state law Corporate Negligence (Count IV) claim against Correct Care Solutions (CCS) LLC/Wellpath LLC.
6. Joseph Terra, Erica Benning and Dr. Jay Cowan are dismissed as Defendants in this case.
7. Remaining Defendants shall file an Answer to the Amended Complaint by **February 12, 2024.**

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.